

## **REMARKS**

By the present amendment, claims 2 and 9 have been amended to provide proper antecedent basis for the terms recited therein.<sup>1</sup> Upon entry of this amendment, claims 1-33 will be pending in this application.

### ***Claim Rejections - 35 U.S.C. §102 / §103***

The pending claims have been rejected as being anticipated by, or obvious over, U.S. Publication No. 2003/0114206 to Timothy.<sup>2</sup> Timothy is directed towards real-time tracking of the transportation of a package to a predetermined destination. In other words, Timothy tracks the delivery of a particular package to a particular person at a particular address. As delivery personnel may be delivering other different packages to other addresses in the same vicinity, it is important that the correct package be delivered to the correct address and/or person. Timothy also provides a means for the delivery company to verify that delivery of a particular package has occurred and was accepted by an identifiable individual (e.g., the person accepting the package may be required to sign a signature capture window).

Timothy, however, is not directed towards a mass delivery situation. In a mass delivery situation, the same item is delivered to a large number of sites (*i.e.*, residences or businesses). Typically, a delivery person will drive to a specific region and then hand deliver the item to each residence on the street(s) in this region. In a mass delivery situation, the identification of individual addresses is not important, as every residence on a particular street is a delivery location. Also, since the same item is delivered to each home/business, an identification of each item sent to a particular address is not necessary. Consequently, systems such as that shown in Timothy (which provide

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<sup>1</sup>It is respectfully submitted that these amendments do not introduce any new issues requiring a new search or consideration.

<sup>2</sup>Claims 1-3, 7-19, 21-29, and 31-33 have been rejected as being anticipated by Timothy. Claims 4-6, 20 and 30 have been rejected as being obvious over Timothy in view of US 2005/0043059 to Petite.

individual addresses and/or delivered item identification) are superfluous, inefficient and essentially unworkable in a mass delivery situation.

The Examiner contends that the phrase “a mass delivery” means “more than one packages are delivered to one location, or more multiple locations” and these packages “could or could not be the same exact items.” He further explains that if a delivery person delivers a package A to a first location, it can be tracked by Timothy’s method, and if the delivery person delivers a package B to a second location, it can be traced by Timothy method. The Examiner notes that “[i]t is critical to track packages whether or not they have been delivered to the correct address/location as desired regardless of similarity.”

The Examiner’s comment regarding the “criticality” of tracking packages very nicely explains the distinction between the Timothy method and the method of the present invention. In a mass delivery situation, it is not “critical” to track packages and/or addresses. In fact, as explained in applicant’s specification, such package-by-package and/or address-by-address tracking would be essentially unworkable in a mass delivery situation. Instead, once delivery has been completed in a particular region (which contains a plurality of delivery sites), this completion is input into the the mobile terminal unit, without any need to input (or even know) the identity of the delivered items and without any need to input (or even know) the identity of the addresses to which these items have been delivered.

For example, in the illustrated embodiment, each mobile terminal unit 20 comprises a display screen. Once delivery is completed in a particular region 16, the delivery person can input this completion by scrolling down a list and “clicking” on the relevant region. There is no need for the delivery person to worry about identifying an item and/or an address. A single “click” or “input” is all that is required with the system/method of the present invention.

Claims 1-14 set forth a mass delivery communication system for collecting and processing completion data for an item that is to be mass delivered in a predetermined area comprising a plurality of particular regions, each containing a plurality of delivery sites. Claims 28-33 set forth a mass delivery communication system for collecting and

processing completion data for an item that is to be mass delivered in predetermined areas each comprising a plurality of particular regions each containing a plurality of delivery sites. The Examiner contends that these recitals are not given any patentable weight because it is in the preamble of the claim. It is noted however, that the body of claim 1 sets forth that the mobile terminal unit is programmed to receive input regarding completion of delivery in one of the particular regions (which was previously defined as containing a plurality of delivery sites) and to transmit delivery data corresponding to the input to the processing center. The body of claim 28 sets forth that each of the mobile terminal units is programmed to receive input regarding completion of delivery in the corresponding particular region (which were each previously defined as containing a plurality of delivery sites) and to transmit delivery data corresponding to the input to the processing center. It is further noted that method claims 15 - 27 set forth the steps of “delivering the same item to each of a plurality of delivery sites in a first particular region of a predetermined area comprising a plurality of particular regions” and “inputting delivery completion” in this region into the mobile terminal unit.

With applicant's system/method, only one input would be required to indicate that delivery is completed in a particular region containing, for example, fifty delivery sites. This is quite different from the Timothy mobile unit, which is programmed to receive a different input for completion of delivery in each of a plurality of delivery sites. In a region containing fifty delivery sites, for example, Timothy would require at least fifty inputs (e.g., site-identifying inputs) and probably a hundred or so inputs (e.g., fifty package-identifying inputs and fifty site-identifying inputs). The Timothy mobile terminal unit is not programmed to receive input regarding completion of delivery in a particular region, it is programmed to receive input regarding completion of delivery in each of the plurality of delivery sites that may (or may not) be contained in a particular region.<sup>3</sup>

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<sup>3</sup>Any claim-amendment suggestions by the Examiner to clarify this distinction would certainly be welcomed for consideration. For example, it would be acceptable to applicant to qualify that this input is accomplished without delivered-item identification information and/or delivery site identification information.

With particular reference to claims 8 and 23, they set forth that a displayed menu on the screen of the mobile terminal unit includes an input for the predetermined area, and claims 9 and 24 set forth that this input is a zip code. With the Timothy mobile terminal unit, the geocode (latitude/longitude) obtained by a GPS sensor can be used to flag an incorrect address as an alias and thereby allow updating of an alias database. The reference suggests that the addresses/aliases may be supplemented with additional data such as, for example, zip code data.<sup>4</sup> While some and/or all of this information could perhaps be displayed on the touch screen of the mobile unit, the Timothy system does not appear to include (or need) an input for a predetermined area such as a zip code.

Claims 12 and 25 set forth that the mobile terminal unit displays the particular regions within the predetermined area and claims 14 and 27 set forth that the input (regarding completion of delivery in one particular region containing a plurality of delivery sites) is performed by selecting one of these displayed particular regions. The Examiner contends that this feature is disclosed by Timothy in paragraph 0104. However, this paragraph does not appear to show or suggest selecting a “displayed particular region” to input completion of delivery in this region containing a plurality of delivery sites. Instead, the delivery person’s interaction with the mobile terminal consists of activating a GPS sensor to provide the geocode (latitude/longitude) of a specific delivery site and scanning the to-be-delivered package. Based on the information obtained by scanning the package, a previously gathered (e.g., probably provided by the sender) destination address can be determined. The geocode of this

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<sup>4</sup>Additional data can also include revenue data, injury data, accident data, theft data, damage data, maintenance data, special request data, preference data, maintenance data, and combinations thereof, which may facilitate positive identification of the destination address by the driver and may also serve to apprise the driver of any special conditions associated with the destination address. Timothy notes that “[t]he ability to link delivery route information with the position information captured by the GPS sensor thus allows for the creation of a data standard that is an improvement over census and zip code+4 data alone.”

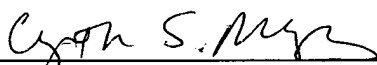
destination address is then obtained and compared to the GPS-sensed geocode, and the driver is notified of a possible mis-delivery if the two positions are too far apart.

Accordingly, Timothy does not show or suggest the system/method set forth in claims 1-33 and the secondary reference, Petite, does nothing to remove these shortcomings.<sup>5</sup>

### **Conclusion**

In view of the foregoing, this application is now believed to be in a condition for allowance and an early action to that effect is earnestly solicited.

Respectfully submitted,  
RENNER, OTTO, BOISSELLE & SKLAR, LLP

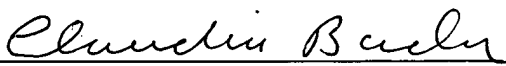
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Claudia Bader

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<sup>5</sup>The secondary reference discloses a system/method for remotely monitoring electricity consumption at different locations via an electric meter. The "unique identifier" of each location would seem to be extremely important in that the meter reading would need to be matched thereto for billing purposes.